REMARKS

In response to the non-final Office Action dated October 18, 2007, Applicants submit that all pending claims are allowable for at least the reasons stated below. Pending claims 25 through 28, 30, 33, 37 and 46 through 50 were previously amended in Preliminary Amendment filed with a Request for Continued Examination.

Claims 25 through 28, 30, 33, 37 and 46 through 50 stand rejected as being obvious based on the combination of U.S. Published Application No. 2002/0022963 ("Miller") in view of U.S. Patent No. 5,745,681 ("Levine") and further in view of U.S. Patent No. 6,330,592 ("Makuch").

Applicants have previously asserted and continue to maintain that the combination of Miller and Levine fails to teach or suggest the claimed invention, and further submit that even in combination with Makuch, the three reference combination fails to overcome the previously noted deficiencies of the combination of Miller and Levine. Makuch is asserted as allegedly teaching "using a statistical analysis of the web page content," which fails to overcome the deficiencies of Miller and Levine regarding the elements of "<u>analyzing the web page to detect a context</u> for the web page" and "selecting at least one file representing at least one product <u>related to the detected context</u>." (emphasis added)

On page 4 of the present Office Action, the Examiner cites to Miller, page 9, ¶ 0109, as teaching the element of "analyzing the web page to detect a context for the page." Applicants disagree because ¶ 0109 is silent regarding analyzing a web page so that such analysis "detect[s] a context for the page." To obviate confusion, ¶ 0109 states:

> [0109] In state 320, an entity may choose to store or update a component of a portal page. As discussed previously, an initial or portal page displayed for a user in response to receipt of a scanned bar code may be tailored to a particular entity such as the provider of the user's bar code scanner. Entities for which portal pages are tailored may, therefore, submit and update components to

system 100 for use in generating a portal page. As one skilled in the art will recognize, a portal or web page may include many types of objects, including textual, graphical, audio, etc. Access to state 320 may thus be restricted to entities meeting specified criteria (e.g., those that have an account with system 100, provide bar code scanners to users, or otherwise arrange with an operator of the system). Various security strategies are contemplated for restricting the actions of entities and/or users when connected to system 100 (e.g., encryption, passwords).

Miller discusses, as evidenced by ¶ 0109, the display of a portal page in response to receipt of a bar code. More generally, Miller discusses a process for alerting a user of a promotional offering (fig. 12) and the receipt of a bar code from a user. The bar code is then associated with a product and subsequently with the user. The user/product relationship is stored in a database. A search is then performed to match the offer to the product, where the search can be a standard query. Thereupon, the user is presented with the offer.

As indicated in previously filed responses, and re-submitted herein, Miller uses the barcode information to generate a user-specific portal page. This is entirely inconsistent with the specific claim language of "analyzing the web page to detect a context for the web page" because receipt of barcode information is not analyzing a web page.

Similarly, the Examiner asserts Levine as teaching the selection of at least one file "representing at least one product related to the detected context." (emphasis added). Applicants disagree because Levine, as indicated in the passage on col. 4, line 48 - col. 5, line 22, discusses a dynamically generated user page based on the specifics of an operating environment, e.g. Sun Microsystems. The generation of these pages fail to overcome the above-noted deficiency regarding the detected context, as claimed. Levine does not teach or suggest the claimed detection of user context and therefore, based on Miller's shortcomings, the combination of Miller and Levine fail to teach or suggested the claimed invention.

Similarly, Makuch is asserted regarding the usage of statistical analysis, which does not overcome the above-noted deficiency of Miller and hence the deficiencies of a combination of Miller and Levine. Accordingly, if one skilled in the art combined Miller, Levine and Makuch, the combination would fail to teach or suggest all of the claimed elements, including "analyzing the web page to detect a context for the web page" and "selecting at least one file representing at least one product related to the detected context." (emphasis added). As such, Applicants submit that all pending claims are patentable in view of the prior art of record.
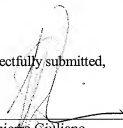
Should the Examiner maintain the rejection of the claims in view of Miller in combination with Levine and Makuch, Applicants respectfully request a showing, including specific column and line numbers, providing clarity regarding the assertion of Miller teaching or suggesting "analyzing the web page to detect a context for the web page" and the combination of Miller, Levine and Makuch teaching or suggesting "selecting at least one file representing at least one product related to the detected context." In the alternative, Applicants request passage of the pending claims to issuance.

For at least all of the above reasons, the Applicants respectfully request that the claims be presented for examination. To expedite prosecution of this application to allowance, the examiner is invited to call the Applicants' undersigned representative to discuss any issues relating to this application.

Respectfully submitted,

Dated: January 10, 2008

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